

MEDIATION AGREEMENT

The undersigned parties agree as follows:

1. The undersigned are parties or representatives of parties to the controversy identified as _____, _____ County Court File No. _____, and they have agreed to seek to resolve the controversy through mediation.

2. Each party acknowledges that the mediator has given them written notice that (a) the mediator has no duty to protect their interests or provide them with information about their legal rights; (b) signing a mediated settlement agreement may adversely affect their legal rights; and (c) they should consult an attorney before signing a mediated settlement agreement if they are uncertain about their rights.

3. The parties further acknowledge that prior to the commencement of the mediation, they were provided with a written disclosure of the qualifications of the mediator, including a description of the mediator’s educational background and relevant training and experience in mediation.

4. The parties acknowledge that participation in the mediation is voluntary and may be terminated at any time by any party, their representative or the mediator upon notice to the other parties. The provisions of the mediation statute with respect to the termination of mediation only upon written notice are hereby waived.

5. The parties agree that (a) all statements, documents and disclosures made or revealed at the mediation will be treated as settlement discussions under the rules of evidence and will be inadmissible by any person unless offered by the person giving the statement, revealing the document or making the disclosure; and (b) the mediator will not be compelled to give testimony at a deposition or trial, or by other means or at other times, as to a matter learned through the mediation, except to prove the existence or terms of a settlement agreement which is made at or through the mediation session or process.

6. Unless otherwise agreed in a signed Mediated Settlement Agreement, each mediation participant and their counsel are collectively responsible for their pro rata share of the mediator's fee. In some instances, multiple parties with common interests represented by single counsel shall be considered a single mediation participant, and shall pay a single pro rata share unless otherwise agreed during the mediation process.

JOHN DOE / XYZ CORPORATION By: _____ Party Representative _____ Attorney	MARY ROE / ABC COMPANY By: _____ Party Representative _____ Attorney
	_____ Timothy C. Cook, Mediator